

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DANNY RICKY HEADLEY
Plaintiff,

v.

CHILTON COUNTY, ALABAMA,
et al.
Defendants.

CASE NO: 2:06-cv-1083-MEF

**PLAINTIFF'S RESPONSE TO MOTION TO STAY PENDING RULING ON
QUALIFIED IMMUNITY**

COMES NOW the Plaintiff, Danny Ricky Headley, by and through counsel, and submits this Response to the Motion to Stay Pending a Ruling on Qualified Immunity and states as follows:

1. That a Motion to Stay Pending a Ruling on Qualified Immunity was filed on or about December 22, 2006.
2. That Defendants, Chilton County, Alabama and Chilton County Sheriff Neely Strength claim that pretrial disclosures, a Rule 26 meeting, and other discovery should be stayed until this Court makes a ruling as to the issue of qualified immunity.
3. That without the aid of such discovery, it will not be possible to determine whether the acts committed were within the scope of employment and therefore, whether the acts qualify for immunity.

WHEREFORE THE PREMISES CONSIDERED, the Plaintiff prays that this

Honorable Court will deny the Defendant's Motion to Stay and allow discovery to proceed.

/s/ Roianne Houlton Conner
Roianne Houlton Conner

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CERTIFICATE OF SERVICE

I hereby certify that I have filed the foregoing upon the clerk of the Court using the CM.ECF system which will send notification of such filing to the following:

George W. Royer, Jr.
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Huntsville, Alabama 35801

Steven M. Sirmon
Ala. Bd. Pardons and Paroles
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/s/ Roianne Houlton Conner
Roianne Houlton Conner